

PTO/SB/21 (01-03)

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**TRANSMITTAL  
FORM**

(to be used for all correspondence after initial filing)

	Application Number	10/605,486	
	Filing Date	10/2/2003	
	First Named Inventor	Brian S. Vandrak	
	Art Unit	Unknown	
	Examiner Name	Unknown	
Total Number of Pages in This Submission	111	Attorney Docket Number	30816-0041

**ENCLOSURES (Check all that apply)**

<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input checked="" type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/ Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please Identify below):
<b>Remarks</b> Copies of references cited Return postcard		

**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT**

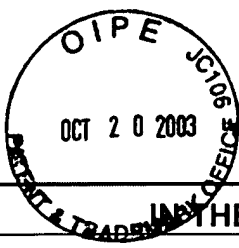
Firm or Individual	Louis F. Wagner
Signature	
Date	October 17, 2003

**CERTIFICATE OF TRANSMISSION/MAILING**

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, Washington, DC 20231 on this date: <b>October 17, 2003</b>			
Typed or printed	Louis F. Wagner		
Signature		Date	October 17, 2003

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. **SEND TO: Commissioner for Patents, Washington, DC 20231.**

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**IN THE UNITED STATES PATENT & TRADEMARK OFFICE**

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<i>Applicant:</i>	Vandrak, et al.	<i>Examiner:</i>	Unknown
<i>Serial #:</i>	10/605,486	<i>Art Unit:</i>	Unknown
<i>Filing Date:</i>	October 2, 2003	<i>Date:</i>	October 17, 2003
<i>Title:</i>	GAS FIRED PORTABLE UNVENTED INFRARED HEATER		

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Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

### **Information Disclosure Statement**

This Information Disclosure Statement is made within the earlier of: (1) three months after the filing date of the application §1.97(b)(1); (2) within three months of the date of entry of the national stage as set forth in §1.491 in an international application §1.97(b)(2); or (3) before the mailing date of a first Office action on the merits §1.97(b)(3). Therefore, this statement is considered timely under 37 C.F.R. §1.97(b).

According to the terms of 37 C.F.R. §1.97(g), this Disclosure Statement shall not be construed as a representation that a search has been made or that no other material information as defined in 37 C.F.R. §1.56(a) exists. While this Information Disclosure Statement may be "material" pursuant to 37 C.F.R. §1.56(b), it is not intended to constitute admission that any patent, publication or other information referred to therein is "material to patentability" under 37 C.F.R. §1.97(h) for this invention unless specifically designated.

In accordance with 37 C.F.R. §1.56, applicant wishes to call the attention of the Examiner to the following references, which were uncovered by the applicant. Copies of these references are also submitted herewith along with form PTO-1449, as well as summaries of the references.

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***U.S. Patent Documents***

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<i>Ref. #</i>	<i>Patent #</i>	<i>Inventor</i>	<i>Publication Date</i>
AA	US 1,639,780	Mulholland	8/1927
	<i>Abstract</i>	<i>Incandescent Gas Fire</i>	
<i>Ref. #</i>	<i>Patent #</i>	<i>Inventor</i>	<i>Publication Date</i>
AB	US 3,139,879	Bauer et al.	7/1964
	<i>Abstract</i>	<i>Gas Burning Heaters</i>	

<i>Ref. #</i>	<i>Patent #</i>	<i>Inventor</i>	<i>Publication Date</i>
AC	US 3,590,806	Locke	7/1971
	<i>Abstract</i>	<i>Portable L.P. Gas Space Heater</i>	
<i>Ref. #</i>	<i>Patent #</i>	<i>Inventor</i>	<i>Publication Date</i>
AD	US D243,694	Faulkner	3/1977
	<i>Abstract</i>	<i>Portable Catalytic Heater</i>	
<i>Ref. #</i>	<i>Patent #</i>	<i>Inventor</i>	<i>Publication Date</i>
AE	US 4,340,362	Chalupsky et al.	7/1982
	<i>Abstract</i>	<i>Fuel Flow Means for Portable Space Heaters</i>	
<i>Ref. #</i>	<i>Patent #</i>	<i>Inventor</i>	<i>Publication Date</i>
AF	US 4,348,172	Miller	9/1982
	<i>Abstract</i>	<i>Portable Propane Gas Hand Torch</i>	
<i>Ref. #</i>	<i>Patent #</i>	<i>Inventor</i>	<i>Publication Date</i>
AG	US 4,640,680	Schilling	2/1987
	<i>Abstract</i>	<i>Portable Gas-Fired Forced-Draft Heater</i>	
<i>Ref. #</i>	<i>Patent #</i>	<i>Inventor</i>	<i>Publication Date</i>
AH	US 4,843,313	Walton	7/1989
	<i>Abstract</i>	<i>Integrated Circuit Package Carrier and Test Device</i>	
<i>Ref. #</i>	<i>Patent #</i>	<i>Inventor</i>	<i>Publication Date</i>
AI	5,090,899	Kee	2/1992
	<i>Abstract</i>	<i>All-Primary Type Gas Burner</i>	
<i>Ref. #</i>	<i>Patent #</i>	<i>Inventor</i>	<i>Publication Date</i>
AJ	US 5,239,979	Maurice et al.	8/1993
	<i>Abstract</i>	<i>Radiant Heater</i>	

Ref. #	Patent #	Inventor	Publication Date
AK	US 5,645,043	Long et al.	7/1997
	Abstract	Radiant Heater	
Ref. #	Patent #	Inventor	Publication Date
AL	US D391,345	Mandir et al.	2/1998
	Abstract	Gas Fired Heater	
Ref. #	Patent #	Inventor	Publication Date
AM	US 5,838,243	Gallo	11/1998
	Abstract	Combination Carbon Monoxide Sensor and Combustion Heating Device Shut-off System	
Ref. #	Patent #	Inventor	Publication Date
AN	US 5,941,699	Abele	8/1999
	Abstract	Shutoff System for Gas Fired Appliances	
Ref. #	Patent #	Inventor	Publication Date
AO	US 6,340,298	Vandrak, et al.	1/2002
	Abstract	Gas-Fired Portable Unvented Infrared Heater for Recreational and Commercial Use	
Ref. #	Patent #	Inventor	Publication Date
AP	US 2002/0058226	Vandrak, et al.	5/2002
	Abstract	Gas-Fired Portable Unvented Infrared Heater for Recreational and Commercial Use	

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### Foreign Patent Documents

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Ref. #	Patent #	Inventor	Publication Date
AQ	UK 253,043	Mulholland	2/1926
	Title	Improvements Relating to Incandescent Gas Fires	

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### Other Documents

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Ref. #	Non Patent Literature Documents
BA	O'Meara Camping Centers (web page), Cookers & Heaters, "ALVIMA CARASOL 3b HEATER", data sheets pp. 1-7, 6/26/02
BB	Dynamx Incorporated Warehouse Appliance (web page), Williams Heaters – Vent-Free Home Models, data sheets pp. 1-4, 6/26/02
BC	AGA, American Gas Association, Fact Sheet, "Oxygen Depletion Sensing (ODS) Systems", December 1984

BD	<i>Bullfinch (Gas Equipment) Limited, The Simba Range Ultra Safe-Low Cost Mobile Cabinet Heaters, 2 pages, undated</i>
BE	<i>Mobile Gas Supplies, Mobile Heaters, data sheets pp. 1-4, 3/6/02</i>
BF	<i>Brians of Sheerness, Valor Fires, data sheets pp. 102, 3/6/02</i>
BG	<i>Mobile Gas Supplies, Thurcroft Stove, data sheets p. 102, 3/6/02</i>
BH	<i>The Coleman Co., Inc., 3000 BTU Propane Catalytic Heater, instructions for use pp. 104, undated.</i>

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***Presentation at National Meetings***

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To the knowledge of the applicant, there has been no presentation of this subject matter at National meetings.

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***Presentations at Invited Seminars***

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To the knowledge of the applicant, there has been no presentation of this subject matter at invited seminars.

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***Best Information Available***

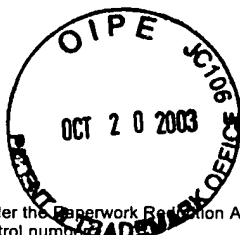
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This Information Disclosure Statement is based upon the information contained in the undersigned attorney's file as of the filing date of this statement and is inclusive of the best information known to the undersigned at that date. Applicant submits that the above references taken alone or in combination neither anticipate nor render obvious the present invention. Consideration of the foregoing in relation to this application is respectfully requested.

Respectfully Submitted,  
Buckingham, Doolittle & Burroughs, LLP

  
Louis F. Wagner  
Registration No.: 35,730

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Attorney Docket # 30816-0041



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Substitute for form 1449A/PTO			<b>Complete if Known</b>		
<b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>  (use as many sheets as necessary)			<b>Application Number</b>	10/605,486	
			<b>Filing Date</b>	10/2/2003	
			<b>First Named Inventor</b>	Brian S. Vandrak	
			<b>Art Unit</b>	Unknown	
			<b>Examiner Name</b>	Unknown	
<b>Sheet</b>	1	of	2	<b>Attorney Docket Number</b>	30816-0041

U.S. PATENT DOCUMENTS					
Examiner Initials*	Cite No. 1	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number - Kind Code <sup>2</sup> (if known)			
	AA	US- 1,639,780	8/1927	Mulholland	
	AB	US- 3,139,879	7/1964	Bauer et al.	
	AC	US- 3,590,806	7/1971	Locke	
	AD	US- D243,694	3/1977	Faulkner	
	AE	US- 4,340,362	7/1982	Chalupsky et al.	
	AF	US- 4,348,172	9/1982	Miller	
	AG	US- 4,640,680	2/1987	Schilling	
	AH	US- 4,843,313	7/1989	Walton	
	AI	US- 5,090,899	2/1992	Kee	
	AJ	US- 5,239,979	8/1993	Maurice et al.	
	AK	US- 5,645,043	7/1997	Long et al.	
	AL	US- D391,345	2/1998	Mandir et al.	
	AM	US- 5,838,243	11/1998	Gallo	
	AN	US- 5,941,699	8/1999	Abele	
	AO	US- 6,340,298	1/2002	Vandrak, et al.	
	AP	US- 2002/0058266	5/2002	Vandrak, et al.	
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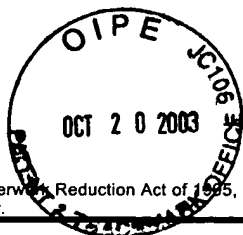
FOREIGN PATENT DOCUMENTS						
Examiner Initials*	Cite No. 1	Foreign Patent Document		Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Country Code <sup>3</sup>	-Number <sup>4</sup> - Kind Code <sup>5</sup> (if known)			
	AQ	UK	253,043		Mulholland	

<b>Examiner Signature</b>		<b>Date Considered</b>	
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\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> See Kinds Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language Translation is attached.

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Substitute for form 1449B/PTO		<b>Complete if Known</b>	
<b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>  (use as many sheets as necessary)		<b>Application Number</b>	10/605,486
		<b>Filing Date</b>	10/2/2003
		<b>First Named Inventor</b>	Brian S. Vandrak
		<b>Group Art Unit</b>	Unknown
		<b>Examiner Name</b>	Unknown
<b>Sheet</b>	2 of 2	<b>Attorney Docket Number</b>	30816-0041

OTHER PRIOR ART -- NON PATENT LITERATURE DOCUMENTS			
Examiner Initials <sup>2</sup>	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published	T <sup>2</sup>
	BA	O'Meara Camping Centers (web page), Cookers & Heaters, "ALVIMA CARASOL 3b HEATER", data sheets pp. 1-7, 6/26/02.	
	BB	Dynamx Incorporated Warehouse Appliance (web page), Williams Heaters - Vent-Free Home Models, data sheets pp. 1-4, 6/26/02.	
	BC	AGA, American Gas Association, Fact Sheet, "Oxygen Depletion Sensing (ODS) Systems", December 1984.	
	BD	Bullfinch (Gas Equipment) Limited, The Simba Range Ultra Safe-Low Cost Mobile Cabinet Heaters, 2 pages, undated.	
	BE	Mobile Gas Supplies, Mobile Heaters, data sheets pp. 1-4, 3/6/02.	
	BF	Brians of Sheerness, Valor Fires, data sheets pp. 1-2, 3/6/02.	
	BG	Mobile Gas Supplies, Thurcroft Stove, data sheets pp 1-2, 3/6/02.	
	BH	The Coleman Co., Inc., 3000 BTU Propane Catalytic Heater, instructions for use pp. 1-4, undated.	

<b>Examiner Signature</b>		<b>Date Considered</b>	
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\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> Applicant is to place a check mark here if English language Translation is attached.

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